

Application No.: 09/858,271
Docket No. BLD920000029US1/ IBMN.017US01
Date of Office Action Response: March 15, 2005
Reply to Office Action Dated December 15, 2004

IN THE DRAWINGS

Please accept the following attached replacement sheets 7/19, 10/19, and 18/19.

REMARKS

Applicant has reviewed, and carefully considered the non-final Office Action dated December 15, 2004. Claims 1-45 are pending. Claims 1-45 are rejected.

In paragraph 1 on page 2 of the Office Action, the specification was objected to due to certain informalities.

Applicant respectfully traverses the objection to the specification. However, in order to advance prosecution of Applicant's Application, the specification has been amended in accordance with Examiner's suggestions. Applicant submits that the changes to the specification do not narrow or change the scope of Applicant's Application.

In paragraph 2 on page 3 of the Office Action, the drawings were objected to due to certain informalities.

Applicant respectfully traverses the objection to the drawings. However, Applicant has included three replacements sheets with changes in accordance with Examiner's suggestions. Applicant submits that the changes to the drawings do not narrow or change the scope of Applicant's Application.

In paragraph 5 on page 5 of the Office Action, claims 1, 4, 5, 6, 7, 8, 10, 11, 17, 20, 21, 22, 23, 25, 31, 36, 37, 39, 40, 41, 42 and 43 were rejected under 35 U.S.C. § 102(e) over Notredame et al. (U.S. Patent No. 6,049,390).

In paragraph 7, on page 7 of the Office Action, claims 2 and 18 were rejected under 35 U.S.C. § 103(a) over Notredame in view of Maertens (U.S. Patent No. 6,526,214).

In paragraph 8, on page 8 of the Office Action, claims 3, 19, 35 and 38 were rejected under 35 U.S.C. § 103(a) over Notredame in view of Maertens further in view of Suzuki et al. (U.S. Patent No. 6,298,164).

In paragraph 9, on page 9 of the Office Action, claims 9 and 24 were rejected under 35 U.S.C. § 103(a) over Notredame in view of Takahashi et al. (U.S. Patent No. 6,078,694).

In paragraph 10, on page 11 of the Office Action, claims 12, 13, 15, 16, 26, 27, 29, 30, 32, 33, 44, and 45 were rejected under 35 U.S.C. § 103(a) over Notredame in view of Houle (U.S. Patent No. 5,710,719).

In paragraph 11, on page 12 of the Office Action, claims 14, 28, and 34 were rejected under 35 U.S.C. § 103(a) over Notredame in view of Houle further in view of Rumph et al. (U.S. Patent No. 6,049,390).

Applicant respectfully traverses the §§ 102(e) and 103(a) rejections. Applicant submits that the requirements for a § 102(e) or §103(a) rejection are not present and a prima facie rejection fails because the Office Action fails to cite a reference or references that teach, disclose or suggest all the claim limitations of Applicant's Application.

Applicant's claims recite at least "providing in the encoded format, a plurality of display items to be merged; examining the display items on the basis of item priority; defining a target item having a target area; and merging the display items in the target area according to item priority to produce the target item, the target item representative of the merged plurality of display items."

The Office Action states that Notredame teaches "defining a target item having a target area" at column 18, lines 45-47. However, Applicant respectfully submits that instead Notredame states at column 18, lines 45-47 that "Merge thread 1109, the drain for read thread 1105, also is the source for the output thread(s) 113 via the page buffer(s) 1111." Yet, merge thread 1109, read thread 1105, output thread 1113, and page buffer 1111 are not defined target items having a target area.

The Office Action also incorrectly states that Notredame teaches "defining a target item having a target area" at column 18, lines 53-57. However, this portion of Notredame more specifically states "[a]s soon as all the objects (page elements) of a page are in page element cache 1011, merge thread 1109 merges the line work, CT selection mask and CT data, color separation by separation, and writes the result into the page buffer(s) 1111" Thus, merged items in Notredame are merely written into page buffer 1111.

Accordingly, the Office Action is incorrect and Notredame fails to disclose, teach or suggest Applicant's "defining a target item having a target area."

Furthermore, Applicant's Application requires "merging the display items in the target area according to item priority to produce the target item, the target item representative of the merged plurality of display items."

The Office Action also incorrectly asserts, using the same portion of Notredame as above (column 18, lines 53-57), that “merging the display items in the target area according to item priority to produce the target item, the target item representative of the merged plurality of display items” is taught. Notredame’s merged data in page buffer 1111 is not a defined target item in a target area and Notredame does not indicate that target items are defined, or that merged items are merged into a target area to produce a target item. Therefore, Notredame fails to disclose, teach or suggest Applicant’s “merging the display items in the target area according to item priority to produce the target item, the target item representative of the merged plurality of display items.”

Maertens, Suzuki, Takahashi, Houle, and Rumph, alone or in combination fails to remedy the deficiencies of Notredame. Maertens merely discloses a method and apparatus for decoding and displaying a DVD sub-picture. Suzuki et al. merely disclose converting a compressed JETSEND image into a compressed PCL raster image. Takahashi et al. merely teach an image signal padding method and coding and decoding apparatus. Houle merely teaches compressing image data into a compressed form and for decompressing the compressed form. Rumph et al. merely teach a method for converting a page image defined using a PDL into print data and printer control commands. The above-mentioned references however, do not mention Applicant’s “defining target items having a target area,” or Applicant’s “merging the display items in the target area according to item priority to produce the target item, the target item representative of the merged plurality of display items.”

Because the Office Action fails to cite a reference or references that teach, disclose, or suggest all of the elements of at least the independent claims, Applicant submits that the §§ 102(e) and 103(a) rejections are improper and request they be withdrawn.

Dependent claims 2-16, 18-30, 32-36, and 38-45 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claims 1, 17, 31, and 37. Further, dependent claims 2-16, 18-30, 32-36, and 38-45 recite additional novel elements and limitations. Applicant reserves the right to argue independently the patentability of these additional novel aspects. Therefore,

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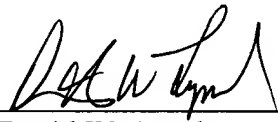
Applicant respectfully submits that dependent claims 2-16, 18-30, 32-36, and 38-45 are patentable over the cited patent.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested. Please charge/credit Deposit Account No. 50-0996 (IBMN.017US01) for any deficiencies/overpayments.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's attorney of record, David W. Lynch at 651-686-6633 Ext 116.

Respectfully submitted,

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